

### REMARKS

Applicant incorporates the remarks made in the last Response to Final Office Action filed August 5, 2005. In addition, Applicant further provides for the following reasoning:

The Examiner stated that the embodiments of the specification do not show the limitations of independent claim 3. Applicant respectfully disagrees. The setpoint value pmax generated by functional unit FB2 is passed through functional unit FB4. FB4 does not perform any alteration. This unit can, however, in another embodiment be used to select one of two setpoints depending on the value x. See specification, paragraph [0038] on page 12. Thus, the setpoint value pmax is in fact corrected by the adder and, thus, by value pact. See also specification paragraph [0037] and [0038] on page 12.

The Examiner further stated that Applicant's arguments in the last response to final office action were inconsistent. Applicant respectfully disagrees. The generation of the intermediate setpoint is performed by functional unit FB2. Functional unit FB4 does not alter this setpoint value as stated above. Thus, the statements made in the last response are not inconsistent.

Applicant submits a Request for Continued Examination Transmittal, along with a check in the amount of \$790.00.

Applicant respectfully requests reconsideration and favorable action in this case.

### CONCLUSION

Applicant has now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration of the claims as amended.

Applicant believes there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

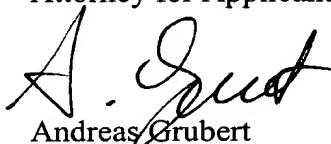
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PATENT APPLICATION  
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If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2545.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorney for Applicant



Andreas Grubert  
Limited Recognition No. L0225  
Limited Recognition Under 37 C.F.R. §11.9(b)

Date: September 6, 2005

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